

**Proposal to amend the Subsidiary Legislation made under the  
Merchant Shipping (Prevention and Control of Pollution) Ordinance**

**Purpose**

The purpose of this paper is to seek members' views on the proposal to amend the subsidiary legislation made under the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap 413) to implement the latest amendments to Annexes I, II, V and VI of the International Convention for the Prevention of Pollution from Ships (MARPOL).

**Background**

2. On 17 May 2019, the 74<sup>th</sup> session of the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) adopted resolutions MEPC.314(74) and MEPC.316(74) (as enclosed) relating to amendments to Annexes I, II, V and VI of MARPOL which permit the use of electronic record book approved by the Administration to electronically record the required entries in lieu of a hard copy record book.

3. Other amendments to MARPOL Annex VI relating to the Energy Efficiency Design Index (EEDI) regulations for ice-strengthened ships and several editorial amendments to the forms in the Appendices were adopted by MEPC.316(74).

## **The Legislative Proposal**

4. In order to keep in line with the international maritime standards applicable to Hong Kong ships, subject to legal advice, we propose to amend the relevant provisions of the following subsidiary legislation made under Cap 413 for the timely implementation of MEPC.314(74) and MEPC.316(74) which are expected to be entered into force on 1 October 2020.

- (a) Merchant Shipping (Prevention of Oil Pollution) Regulations, Cap 413A;
- (b) Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations, Cap 413B;
- (c) Merchant Shipping (Prevention of Pollution by Garbage) Regulation, Cap 413O; and
- (d) Merchant Shipping (Prevention of Air Pollution) Regulation, Cap 413P.

## **Consultation**

5. Members' comments on, if any, are sought on our proposal to implement the latest amendments to MARPOL by amending the subsidiary legislation as stated in paragraph 4.

Marine Department  
Multi-lateral Policy Division  
October 2019

Enclosures:

Annex 1: IMO Resolution MEPC.314(74) -- Amendments to MARPOL Annexes I, II and V  
(Electronic Record Books)

Annex 2: IMO Resolution MEPC.316(74) -- Amendments to MARPOL Annex VI  
(Electronic Record Books and EEDI regulations for ice-strengthened ships)